

TIFFANY & BOSCO
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2525 EAST CAMELBACK ROAD

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Attorneys for Movant
09-29027

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

IN RE:

Efren Jon C. Martin, Jr. and Mary Catherine Martin

Debtors.

No. 2:09-bk-29049-RTB

Chapter 7

NOTICE OF LODGING ORDER

Deutsche Bank National Trust Company, as Trustee of Morgan Stanley Mortgage Loan Trust 2005-5AR, its agent, by and through its undersigned attorneys, hereby gives notice of the Lodging an Order for Relief, a copy of which is attached hereto as Exhibit "A".

DATED this 11th day of February, 2010.

Respectfully submitted,

TIFFANY & BOSCO, P.A.

BY /s/ MSB # 010167

Mark S. Bosco
Leonard J. McDonald
Attorneys for Movant

1 Copy of the foregoing was
2 mailed this 11th day of February, 2010

3 Efren Jon C. Martin, Jr. and Mary Catherine Martin
4 2515 E. Casitas Del Rio Dr.
5 Phoenix, AZ 85024
6 Debtors

7 Randy Nussbaum
8 14500 N. Northsight Blvd., #116
9 Scottsdale, AZ 85260
10 Attorney for Debtors

11 Jill H. Ford
12 P.O. Box 5845
13 Carefree, AZ 85377
14 Trustee

15 U.S. Trustee
16 230 North 1st Avenue, Suite 204
17 Phoenix, AZ 85003-1706

18 By: Lisa Montee
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IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF ARIZONA

IN RE:

Efren Jon C. Martin, Jr. and Mary Catherine Martin

Debtors.

Deutsche Bank National Trust Company, as Trustee
of Morgan Stanley Mortgage Loan Trust 2005-5AR

Movant,

vs.

Efren Jon C. Martin, Jr. and Mary Catherine Martin,
Debtors, Jill H. Ford, Trustee.

Respondents.

No. 2:09-bk-29049-RTB

Chapter 7

ORDER

(Related to Docket #14)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real

EXHIBIT "A"

1 property which is the subject of a Deed of Trust dated March 23, 2005 and recorded in the office of the
2 Maricopa County Recorder wherein Deutsche Bank National Trust Company, as Trustee of Morgan
3 Stanley Mortgage Loan Trust 2005-5AR is the current beneficiary and Efren Jon C. Martin, Jr. and Mary
4 Catherine Martin have an interest in, further described as:

5 Lot 460, VALLEY VISTA UNIT FOUR B, according to Book 118 of Maps, Page 4, records of
6 Maricopa County, Arizona.

7 IT IS FURTHER ORDERED that Movant may contact the Debtors by telephone or written
8 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance
9 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement
10 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against
11 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

12 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter to
13 which the Debtor may convert.

14 DATED this ____ day of _____, 2009

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16 _____
17 JUDGE OF THE U.S. BANKRUPTCY COURT
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